

Bill No. 11-01  
Concerning: Ethics - Political Activities -  
Quasi-Judicial Officers  
Revised: 11-2-01 Draft No. 4  
Introduced: March 6, 2001  
Enacted: November 6, 2001  
Executive: November 19, 2001  
Effective: February 18, 2002  
Sunset Date: None  
Ch. 23, Laws of Mont. Co. 2001

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the request of the County Ethics Commission

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**AN ACT** to:

- (1) prohibit certain quasi-judicial officers and employees from engaging in certain political activities; and
- (2) generally amend the law regarding political activities by County officers and employees.

By adding

Montgomery County Code  
Chapter 19A  
Section 19A-16A

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

Sec 1. Section 19A-16A is added as follows:

**19A-16A. Political activities of quasi-judicial officials.**

(a) A **County quasi-judicial official** must not:

(1) solicit or accept from a person within the official's jurisdiction a financial contribution for any political candidate, political organization or ballot question (other than a ballot question which directly affects the official's agency); or

(2) [[be a candidate for a federal, state, or county elective office without resigning the quasi-judicial position; or]]

[[ (3) ]] solicit from a person within the official's jurisdiction an endorsement of or opposition to a political candidate.

(b) In this Section:

(1) **County quasi-judicial official** means:

(A) a member or alternate member of the Animal Matters Hearing Board;

(B) a member of the County Board of Appeals;

(C) a member of the Board of Electrical Examiners;

(D) a member of the Board of Registration;

(E) a member or alternate member of the Commission on Landlord-Tenant Affairs;

(F) a voting member of the Commission on Common Ownership Communities;

(G) a member of the Ethics Commission;

(H) a voting member of the Fire and Rescue Commission;

(I) a member of a [[commission panel]] case review board of the Human [[Relations]] Rights Commission;

(J) a member of the Merit System Protection Board;

- (K) a member of the Sign Review Board;
- (L) a member of the Historic Preservation Commission;
- (M) a member of the Contract Review Committee;
- (N) the Chief Administrative Officer;
- (O) a hearing examiner in the Office of Zoning and Administrative Hearings; and
- (P) [[the]] any Public Hearing Officer in the Office of the County Executive.

(2) **Political organization** means:

- (A) an “authorized candidate campaign committee” as defined in the state election law;
- (B) a “partisan organization” as defined in the state election law;
- (C) a “political committee” as defined in the state election law;
- (D) a “political action committee” as defined in the state election law;
- and
- (E) a “political party” as defined in the state election law.

(3) **Candidate** has the same meaning as in the state election law.

(4) **Person within the official's jurisdiction** means an individual who:

- (A) is registered, or is required to register, as a lobbyist on a matter that is or could be considered by the official;
- (B) owns or operates a business that is regulated by the official;
- (C) does business with or has a matter pending before the official's agency;
- or
- (D) has an identifiable economic interest, different from that of the general public, that the official may substantially affect in performing the official's duties.

53 *Approved:*

54 /S/ November 8, 2001

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Blair G. Ewing, President, County Council	Date
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55 *Approved:*

56 /S/ November 19, 2001

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Douglas M. Duncan, County Executive	Date
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57 *This is a correct copy of Council action.*

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59 /S/ November 20, 2001

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Mary A. Edgar, CMC, Clerk of the Council	Date
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